

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JERRELL MILLER,

Plaintiff,

-against-

ROBERT GREEN, Shield #1312,  
Correction Officer,

Defendant.  
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JUDGMENT  
05-CV- 2548 (CBA)

An Order of Honorable Carol Bagley Amon, United States District Judge, having been filed on January 26, 2010, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated December 22, 2009; granting defendant's motion to dismiss; and dismissing plaintiff's action pursuant to Fed. R. Civ. P. 16(f) and 37(b)(A)(v); it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendant; that defendant's motion to dismiss is granted; and that plaintiff's action is dismissed pursuant to Fed. R. Civ. P. 16(f) and 37(b)(2)(A)(v).

Dated: Brooklyn, New York  
January 28, 2010

/S/  
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ROBERT C. HEINEMANN  
Clerk of Court